

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DARNELL WEBSTER,

Plaintiff,

v.

JOSEPH LOMBARDO, et al.,

Defendants.

Case No. 3:20-cv-00070-ART-CSD

ORDER

Judgment in this case was entered on March 29, 2024 in favor of Defendant Naphcare. (ECF No. 86.) Defendant then filed a motion to extend time to file a bill of costs pursuant to FRCP 54(d). (ECF No. 90.) Plaintiff Darnell Webster opposed the extension. (ECF No. 91.)

Under FRCP 54(d), costs other than attorney's fees are allowed to the prevailing party. According to local rules, the prevailing party must file and serve a bill of costs within 14 days after the date of entry of judgment, unless the party can demonstrate that the failure to file before the deadline was the result of excusable neglect. LR 54-1; LR IA 6-1(a); Fed. R. Civ. P. 6(b).

Defendant explains that the reason for their delay is that the primary attorney handling this matter, Melanie B. Chapman, was experiencing a family crisis which resulted in the loss of her father. (ECF No. 90 at 3-4.) Plaintiff argues that another attorney should have handled the matter. (ECF No. 91 at 2-3.) However, Plaintiff has not asserted any harm as a result of the delay. The Court finds that the family loss explained by Defendant constitutes excusable neglect. Plaintiff may file an objection to the bill of costs 14 days after service of the bill of costs. LR 54-1(c).

1 It is therefore ordered that Defendant's motion for extension of time (ECF
2 No. 90) is granted. The Court orders Defendant to file and serve a bill of costs by
3 December 4, 2024.

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5 Dated this 20th day of November, 2024.

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ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE